

Docket No.: 043888-0296

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	:	Customer Number: 53080
	:	
Shinsuke TAKEGUCHI, et al.	:	Confirmation Number: 7038
	:	
Application No.: 10/820,160	:	Group Art Unit: 1795
	:	
Filed: April 08, 2004	:	Examiner: O'Neill, Karie Amber
	:	
For: POLYMER ELECTROLYTE FUEL CELL		

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee.

**REQUEST TO CONSIDER REFERENCES AFTER CLOSE OF PROSECUTION AND  
BEFORE PAYMENT OF ISSUE FEE**

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached form PTO-1449. It is respectfully requested that the references be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. Please charge the processing fee under 1.17(p) of \$180.00 to Deposit Account 500417.

CERTIFICATION PARAGRAPH

The undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement as described in 37 CFR 1.97(e)(1).

**JP 2001-006715** was cited in a corresponding Japanese application Office Action and its relevance discussed therein. A copy of the Japanese Office Action is attached for the Examiner's information. Please note that the reference **US 2003/0104265 A1** (corresponding to the cited reference **JP 2002-252021**) has been previously cited in a United States Office Action mailed January 25, 2008 in the present application.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Michael E. Fogarty  
Registration No. 36,139

**Please recognize our Customer No. 53080  
as our correspondence address.**

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
Phone: 202.756.8000 MEF:mjb  
Facsimile: 202.756.8087  
**Date: November 4, 2009**